

506(c) at public auction including the following:

<u>Name and Address of Lienholder</u>	<u>Nature of Lien</u>	<u>Reference</u>
Wells Fargo Bank, N.A. Wells Fargo Home Mortgage Attn: Managing Agent P.O. Box 14411 Des Moines, IA 50306-3411	Deed of Trust	Deed of Trust recorded at Book 9287, Page 498 on February 11, 2002 in the original principal amount of \$46,717.00, Wake County Register of Deeds.
Wells Fargo Attn: Managing Agent 4811 N. Fourth Avenue Sioux Falls, SD 57104-0405		
Wells Fargo Education Financial Services Attn: Managing Agent 301 E. 58 th Street North Sioux Falls, SD 57104-0422		
Sean Corcoran, Attorney Brock & Scott, PLLC 5121 Parkway Plaza Drive, Suite 300 Charlotte, NC 28217		
William R. Echols, Trustee PO Box 5127 Des Moines, IA 50306-5137	Trustee	
William R. Echols, Trustee 7301 Carmel Executive Par Charlotte, NC 28226		

Ida Jo Allison c/o Bobby P. Khot, Attorney Khot & Associates, PLLC 808 Salem Woods, Suite 202 Raleigh, NC 27615	Judgment	Judgment docketed at File No. 07CVS003224, Wake County, NC Clerk of Superior Court in the original principal amount of \$115,000.00 plus punitive damages of \$15,000.00 plus costs of \$6,718.04, plus post-petition interest at the legal rate of 8% per annum from October 6, 2008.
Gordon C. Woodruff, Attorney Woodruff, Reece & Fortner PO Box 708 Smithfield, NC 27577		
Michael Fred Nelson 2729 Stageline Drive Raleigh, NC 27603	Entireties exemption	All right, title, and interest of debtors in subject real property by virtue of exemption as tenants by the entireties.
Algia Lynn Nelson 2219 Creston Road Raleigh, NC 27608	Entireties exemption	All right, title, and interest of debtors in subject real property by virtue of exemption as tenants by the entireties.
William E. Brewer, Jr., Attorney 619 N. Person Street Raleigh, NC 27604		

1. The sale of real property shall be free and clear of all the liens set forth hereinabove with the rights of lien creditors being transferred to the proceeds of the sale in their respective priority as determined and marshaled by the Court pursuant to 11 U.S.C. §363(f) and 11 U.S.C. §506(c).
2. The Order to be entered by the Court shall constitute a release of the above described alleged liens only from real property described herein, and shall not apply as a release of lien on other assets in the estate, or release of any other liens not specifically named herein.

3. If any creditor claiming lien on the property does not object within the time allowed that creditor shall be deemed to have consented to the sale of the real property free and clear of that creditor's interest.

Motion is further made and Notice is given that the Trustee proposes to sell the above described real property at public auction free and clear of liens at a date, time, and place and in the manner herein set out:

Public Auction to be conducted on site at 2219 Creston Road, Raleigh, Wake County, NC 27608 on Monday, July 12, 2010 at 12:00 Noon by Johnson Properties Realtors & Auctioneers.

NOTICE is further given that, in the event sales proceeds are insufficient to pay costs of administration, the trustee intends to seek court authority to surcharge lien claimants with costs of administration, including reasonable, necessary costs and expenses of preserving, or disposing of, such property to the extent of any benefit to the holder of such claim pursuant to §506(c) of the Bankruptcy Code.

The Trustee has filed an application with the court to approve the employment of Johnson Properties, Realtors & Auctioneers as auctioneers, whose compensation, inclusive of all expense including labor and advertising, absent extraordinary circumstances, shall be fixed at a rate not to exceed the following:

REAL PROPERTY
10 % of first \$25,000.00
4% of balance

Such compensation and reimbursement of extraordinary expenses, if any, shall be subject to final review by the court without further notice.

DATE OF MAILING: May 21, 2010

RICHARD D. SPARKMAN & ASSOCIATES, P.A.

BY: _____



Richard DeWitte Sparkman
Bankruptcy Trustee
State Bar No. 6857
PO Box 1687
Angier, NC 27501
(919) 639-6181

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

MICHAEL FRED NELSON SR.
ALGIA LYNN NELSON
2729 STAGELINE DRIVE
RALEIGH, NC 27603
SSN: xxx-xx-1159
SSN: xxx-xx-8202

DEBTOR

CASE NO.: 09-03593-8-SWH

CHAPTER 7

**NOTICE OF MOTION FOR PROPOSED PUBLIC AUCTION OF REAL PROPERTY
FREE AND CLEAR OF LIENS, POSSIBLE 506(c) SURCHARGE, AND
COMPENSATION TO AUCTIONEER**

NOTICE is hereby given of the Motion for Proposed Public Auction of Real Property Free and Clear of Liens and Compensation to Auctioneer, filed simultaneously herewith by and through counsel; and

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant relief sought in motion, or if you want the court to consider your views on the motion, then on or before **June 7, 2010**, unless otherwise ordered, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing. In the event that objection and request for hearing is filed, hearing will be held on **June 10, 2010** at 10:00 a.m. in the Bankruptcy Court located at Two Hanover Square, Room 610, 434 Fayetteville Street Mall, Raleigh, NC 27601. Any party requesting a hearing shall appear at said hearing in support of such request or he may be assessed with costs.

Pursuant to Memorandum from Chief Judge J. Rich Leonard, EDNC, dated February 24, 2005, attorneys practicing in the United States Bankruptcy Court for the Eastern District of North Carolina, including attorneys admitted pro hac vice, are required to file electronically all documents [including new bankruptcy petitions, motions, memoranda of law, and other pleadings, but excluding proofs of claim and documents to be placed under seal in accordance with Local Bankruptcy Rule 5005-4(6)]. Any documents required to be filed electronically pursuant to Local Bankruptcy Rule 5005-4(1) but presented paper form on or after April 1, 2005, shall be accompanied by an application for an exemption from this rule and a proposed order

granting the relief sought. The application shall state the reason(s) why electronic filing would impose an extreme hardship on the attorney. Local Bankruptcy Rules 5005-4(1) and 5005-4(2) may be found on the Court's website www.nceb.uscourts.gov. Electronic filing may be done through the Court's website. The Court's mailing address is:

CLERK OF US BANKRUPTCY COURT

PO BOX 1441

RALEIGH, NC 27602-1441

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to:

Richard D. Sparkman
Richard D. Sparkman & Associates, P.A.
PO Box 1687
Angier, NC 27501

Bankruptcy Administrator
Attn: Marjorie K. Lynch
PO Box 3758
Wilson, NC 27895-3758

William E. Brewer Jr.
The Brewer Law Firm
619 Person St.
Raleigh, NC 27604

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

DATED: May 21, 2010

RICHARD D. SPARKMAN & ASSOCIATES, P.A.

BY: _____



Richard DeWitte Sparkman
Bankruptcy Trustee
State Bar No. 6857
PO Box 1687
Angier, NC 27501
(919) 639-6181

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

**MICHAEL FRED NELSON SR.
ALGIA LYNN NELSON
2729 STAGELINE DRIVE
RALEIGH, NC 27603
SSN: xxx-xx-1159
SSN: xxx-xx-8202**

DEBTOR

**CASE NO.: 09-03593-8-SWH
CHAPTER 7**

CERTIFICATE OF SERVICE

I, Rebecca L. Neighbors of PO Box 1687, Angier, NC 27501 certify:

That I am, and at all time hereinafter mentioned was, more than eighteen (18) years of age:

That on the 21st day of May 2010, I served a copy of the foregoing **NOTICE OF MOTION FOR PROPOSED PUBLIC AUCTION OF REAL PROPERTY FREE AND CLEAR OF LIENS, POSSIBLE 506(c) SURCHARGE, AND COMPENSATION TO AUCTIONEER** to the parties in interest as indicated below:

William R. Echols, Trustee
7301 Carmel Executive Par
Charlotte, NC 28226

William R. Echols, Trustee
PO Box 5127
Des Moines, IA 50306-5137

Sean Corcoran, Attorney
Brock & Scott, PLLC
5121 Parkway Plaza Dr., Ste. 300
Charlotte, NC 2821

Gordon C. Woodruff, Attorney
Woodruff, Reece & Fortner
PO Box 708
Smithfield, NC 27577

Ida Jo Allison
c/o Bobby P. Khot
Khot & Associates, PLLC
808 Salem Woods, Suite 202
Raleigh, NC 27615

Michael Fred Nelson
2729 Stageline Drive
Raleigh, NC 27603

William E. Brewer, Jr., Attorney
619 N. Person Street
Raleigh, NC 27604

Bankruptcy Administrator
Attn: Marjorie K. Lynch
434 Fayetteville Street Mall, Ste. 620
Raleigh, NC 27601

SEE ATTACHED MAILING MATRIX

by electronic filing and/or depositing copies thereof in a pre-addressed envelope with sufficient postage thereon in a post office of official depository under the exclusive care and custody of the United States Postal Service.

I certify under penalty perjury that the foregoing is correct.

EXECUTED ON: May 21, 2010

RICHARD D. SPARKMAN & ASSOCIATES, P.A.

BY: Rebecca L. Neighbors
Rebecca L. Neighbors
Legal Assistant
PO Box 1687
Angier, NC 27501
Telephone: (919) 639-6181

Label Matrix for local noticing
0417-8
Case 09-03593-8-SWH
Eastern District of North Carolina
Wilson
Fri May 21 14:42:25 EDT 2010

NCO Portfolio Management
c/o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

ROUNDUP FUNDING, LLC
MS 550
PO Box 91121
SEATTLE, WA 98111-9221

Acs
421 Payetteville S
Raleigh, NC 27601-3009

Assoc/Citi
Credit Bureau Disp
Sioux Falls, SD 57117

Benfcl/Hfc
Pob 1547
Chesapeake, VA 23327-1547

CUNA
Attn: Managing Agent
P.O. Box 61
Waverly, IA 50677-0061

Capital One
Attn: Managing Agent
PO Box 71083
Charlotte, NC 28272-1083

Carolina Medical Associates
Attn: Managing Agent
3024 New Bern Ave.
Raleigh, NC 27610-1247

Chase
Attn: Managing Agent
PO Box 15836
Wilmington, DE 19886-0001

CHASE BANK USA, NA..
PO BOX 15145
WILMINGTON, DE 19850-5145

PRA Receivables Management LLC
POB 41067
Norfolk, VA 23541-1067

U. S. Bankruptcy Court
1760 A Parkwood Blvd.
Wilson, NC 27893-3588

Action/Utb
Pob 105555
Atlanta, GA 30348-5555

Assoc/Citi
Po Box 6003
Hagerstown, MD 21747-6003

Bk Of Amer
4060 Ogletown/Stn
Newark, DE 19713

(p)COLLECT AMERICA LTD
4340 S MONACO PKWY
2ND FL
DENVER CO 80237-3400

Capital One
Attn: Managing Agent
PO Box 85015
Richmond, VA 23285-5015

Chase
800 Brookside Blv
Westerville, OH 43081-2222

Chase
Bank One Card Serv
Westerville, OH 43081

FIA Card Services, N.A.
655 Papermill Road
Newark, DE 19711-7500

Portfolio Recovery Associates, LLC
P.O. Box 41067
Norfolk, VA 23541-1067

ADT Security Services
Attn: Managing Agent
P.O. Box 371490
Pittsburgh, PA 15250-7490

Aspire/Cb&T
Pob 105555
Atlanta, GA 30348-5555

Bank of America
Attn: Managing Agent
P.O. Box 15019
Wilmington, DE 19886-5019

CAPITAL ONE BANK (USA), N.A.
C/O TSYS DEBT MANAGEMENT (TDM)
PO BOX 5155
NORCROSS, GA 30091-5155

Cap One
Pob 30281
Salt Lake City, UT 84130-0281

Cardmember Services
Attn: Managing Agent
P.O. Box 15548
Wilmington, DE 19886-5548

Chase
Attn: Managing Agent
PO Box 15298
Wilmington, DE 19850-5298

Chase- Bp
800 Brookside Blv
Westerville, OH 43081-2822

Citi
Pob 6241
Sioux Falls, SD 57117-6241

Citi Advantage
Attn: Managing Agent
P.O. Box 6000
The Lakes, NV 89163-0001

Citi Cards
Attn: Managing Agent
PO Box 6503
Sioux Falls, SD 57117

Citi-Citgo
Po Box 6497
Sioux Falls, SD 57117-6497

Citi-Shell
Po Box 6497
Sioux Falls, SD 57117-6497

Citifinancia
Po Box 499
Hanover, MD 21076-0499

Coastal Fcu
Po Box 58429
Raleigh, NC 27658-8429

Coastal Federal Credit Union
Attn: Glenn Bourgeois
1000 St. Albans Drive, Ste 210
Raleigh, NC 27609-7348

Coastal Federal Credit Union
PO Box 58429
Raleigh, NC 27658-8429

Cpu/Citi
Po Box 6497
Sioux Falls, SD 57117-6497

Crossing Book Club
Attn: Managing Agent
1225 South Market Street
Mechanicsburg, PA 17055-4724

Diabetes Endo
10224 Durant Road
Raleigh, NC 27614-6468

Dsnb Macys
3039 Cornwallis Rd
Durham, NC 27709

FIA CARD SERVICES, NA/BANK OF AMERICA
BY AMERICAN INFOSOURCE LP AS ITS AGENT
PO Box 248809
Oklahoma City, OK 73124-8809

Gemb/Belk
Po Box 981491
El Paso, TX 79998-1491

Gemb/Dillard
Po Box 981471
El Paso, TX 79998-1471

Gemb/Homeshp
Po Box 981400
El Paso, TX 79998-1400

Gemb/Jcp
Po Box 981402
El Paso, TX 79998-1402

Gemb/Lowes
Po Box 981400
El Paso, TX 79998-1400

Gemb/Qvc
Po Box 981127
El Paso, TX 79998-1127

Gemb/Samsdc
Po Box 981400
El Paso, TX 79998-1400

Gemb/Shopnbc
Po Box 981400
El Paso, TX 79998-1400

Gemb/Walmart
Po Box 981400
El Paso, TX 79998-1400

HSEC Card Services
Attn: Managing Agent
P.O. Box 60102
City Of Industry, CA 91716-0102

HSM Rewards
Attn: Managing Agent
P.O. Box 105981
Atlanta, GA 30353-5981

HSN
Attn: Managing Agent
P.O. Box 105981
Atlanta, GA 30353-5981

Hsbc Bank
Po Box 5253
Carol Stream, IL 60197-5253

Hsbc/Rs
90 Christiana Rd
New Castle, DE 19720-3118

I.C. Systems, Inc.
P.O. Box 64378
St Paul, MN 55164-0378

Ida Jo Allison
c/o Bobby Khot, Attorney
808 Salem Woods Drive, Ste 202
Raleigh, NC 27615-3345

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

JC Penney
Attn: Managing Agent
P.O. Box 960090
Orlando, FL 32896-0090

James T. Johnson, P.A.
P.O. Box 886
Raleigh, N.C 27602-0886

Jim Johnson
P.O. Box 886
Raleigh, NC 27602-0886

Khot & Associates, PLLC
Attn: Bobby Khot
808 Salem Woods Drive, Suite 202
Raleigh, NC 27615-3345

Kohls/Chase
N56 W 17000 Ridgewood Dr
Menomonee Falls, WI 53051-7096

LVNV Funding LLC
Resurgent Capital Services
PO Box 10567
Greenville, SC 29603-0587

Lab Corp. of America Holdings
Attn: Managing Agent
PO Box 2240
Burlington, NC 27216-2240

Lane Bryant
450 Winks Lane
Bensalem, PA 19020-5932

Lane Bryant
Po Box 182121
Columbus, OH 43218-2121

Lvny Funding
P.O. B 10584
Greenville, SC 29603-0584

Lynda D. Nelson
135 Nightwind Trace
Acworth, GA 30101-5982

NC Dept. of Revenue
Attn: Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602-1168

NC Urological Associates
160 MacGregor Pines Drive
Suite 205
Cary, NC 27511-6037

PRA Receivables Management, LLC
As Agent Of Portfolio Recovery Assocs.
PO Box 12914
NORFOLK VA 23541-0914

PRA Receivables Management, LLC
As Agent for FIA Card Services
NA aka Bank of America
PO Box 12907
Norfolk VA 23541-0907

People's National Bank
Attn: Managing Agent
PO Box 1750
Paris, TX 75461-1750

Pmab Srvc
5970 Fairview Rd
Charlotte, NC 28210-3167

Portfolio Rc
287 Independence
Virginia Beach, VA 23462-2962

Portfolio Rec. Assoc.
Attn: Managing Agent
PO Box 12914
Norfolk, VA 23541-0914

Q Card
Attn: Managing Agent
P.O. Box 530905
Atlanta, GA 30353-0905

Quicken
Attn: Managing Agent
2632 Marine Way
Mountain View, CA 94043-1126

RBS Citizens
480 Jefferson Blvd
RJE 135
Warwick, RI 02886-1359

Raleigh Endoscopy Center
2417 Atrium Drive, Suite 101
Raleigh, NC 27607-6673

Rbsnb Cc
1000 Lafayette Blv
Bridgeport, CT 06604-4725

Recovery Management Systems Corporation
For GE Money Bank
dba QCARD
25 SE 2nd Ave Ste 1120
Miami FL 33131-1605

Renaissance
200 Timber Hill Place
Suite 221
Chapel Hill, NC 27514-1596

Rex Healthcare
Attn: Managing Agent
2500 Blue Ridge Rd., Ste. 219
Raleigh, NC 27607-7515

Robert C. Nelson
2729 Stageline Drive
Raleigh, NC 27603-8840

Sam's Club
Attn: Managing Agent
P.O. Box 530942
Atlanta, GA 30353-0942

Sca/Prtamer
1000 Macarthur Bv
Mahwah, NJ 07430-2035

Sears/Cbsd
701 East 60th St N
Sioux Falls, SD 57104-0432

Shop At Home
4590 E Broad St
Columbus, OH 43213-1301

Shop NBC
Attn: Managing Agent
Dept. 7680
Carol Stream, IL 60116-0001

Shop/Cbsd
Po Box 6497
Sioux Falls, SD 57117-6497

Target N.B.
Po Box 673
Minneapolis, MN 55440-0673

Wake County Revenue Dept.
Attn: Laverne Rountree
PO Box 2331
Raleigh, NC 27602-2331

Wal Mart
Attn: Managing Agent
PO Box 530937
Atlanta, GA 30353-0937

Wells Fargo
4811 N Fourth Ave
Sioux Falls, SD 57104-0405

Wells Fargo Education Financial Services
301 E. 58th Street N.
Sioux Falls SD 57104-0422

Wells Fargo Home Mortgage
Attn: Managing Agent
P.O. Box 14411
Des Moines, IA 50306-3411

Wfnnb/Lnbr
Po Box 182121 Ltd Credit Svcs
Columbus, OH 43218-2121

Wfnnb/Shopnbc
220 W Schrock Rd
Westerville, OH 43081-2873

Wfnnb/Vctria
Po Box 182128
Columbus, OH 43218-2128

Wfnnb/Vs
Po Box 182128
Columbus, OH 43218-2128

Wlsfgr Rmntg
7255 Baymeadows Wa
Jacksonville, FL 32256-6851

Wound Care
2916 Blue Ridge Road
Raleigh, NC 27607

Algia Lynn Nelson
2219 Creston Road
Raleigh, NC 27608-2238

Michael Fred Nelson Sr.
2219 Creston Road
Raleigh, NC 27608-2238

Richard Dewitte Sparkman
Richard D. Sparkman, P.A.
PO Box 1687
Angier, NC 27501-1687

William Z. Brewer Jr.
The Brewer Law Firm
311 East Edenton Street
PO Box 27567
Raleigh, NC 27611-7567

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Cach Llc
370 17th Street
Denver, CO 80202

Internal Revenue Service
Insolvency Support Services
320 Federal Place Rm. 335
Greensboro, NC 27401

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Coastal Federal Credit Union

(u)Wells Fargo Bank, NA

(d)Chase Bank USA NA
PO BOX 15145
Wilmington, DE 19850-5145

(d)NCO PORTFOLIO MANAGEMENT
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

(d)Roundup Funding, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

(u)Ida Jo Allison

(u)James W. Johnson III
Johnson Properties Realtors & Auctioneer

End of Label Matrix
Mailable recipients 110
Bypassed recipients 7
Total 117